

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

UNITED STATES OF AMERICA

v.

BRIAN KINNEY

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CASE NO. 1:08-CR-30-HL

ORDER

The Court, having read and considered the Motion of the Government for Additional Decrease for Acceptance of Responsibility Pursuant to U.S.S.G. Section 3E1.1(b) in the above referenced case, hereby finds that in the event that the Defendant receives the two level reduction for acceptance of responsibility pursuant to Section 3E1.1(a) of the United States Sentencing Guidelines, and provided that the Defendant's offense level as determined in the PSR prior to the operation of Section 3E1.1(a) is level 16 or greater, then the Defendant shall be entitled to the additional decrease of one point.

Therefore the Motion of the Government is granted, provided that the conditions stated above are met in this case as of the time of sentencing.

SO ORDERED, this 12th day of September, 2008

s/ Hugh Lawson
HUGH LAWSON
DISTRICT COURT JUDGE